

CHAPTER 10: NEIGHBORHOOD PLANS

“Use the land in a manner that balances all our needs, current and future, so that what we are doing today will take into consideration the impact it will have on our future.”

-Lakeside resident, 01/09/06

Introduction

The Montana Code Annotated, MCA 76-1-601, requires that all counties in Montana prepare a growth policy. While the growth policy is designed to be a more general and comprehensive policy document, it may contain more site-specific neighborhood plans pursuant to 76-1-601(4). Each neighborhood plan must be consistent with the goals, policies, and guidance of the growth policy. Land use decision making is more easily guided by an approved neighborhood plan consistent with the growth policy. In the absence of a neighborhood plan, land use decisions will be guided by the growth policy and other regulatory documents. The intent of this chapter is to provide the general framework needed to facilitate the preparation of neighborhood plans.

Goal

- G.43 All lands under the county’s jurisdiction, where the neighbors and communities desire a neighborhood plan, will have an approved neighborhood plan that is compliant with state statutes and consistent with the growth policy.

Policies

- P.43.1 Existing approved neighborhood plans are to remain “in effect” until the evaluation process to determine consistency to the growth policy has been completed for that plan.
- P.43.2 All existing neighborhood plans found not to be in compliance with the state statutes and the growth policy will remain “in effect” until revised and approved, following the process outlined in this chapter.
- P.43.3 Develop expedited and simplified subdivision and development review processes for lands within an approved growth policy compliant neighborhood plan.
- P.43.4 Assist neighbors and communities who desire neighborhood plans to develop neighborhood plans that implement community character and vision for the future.
- P.44.5 Evaluate the effectiveness of neighborhood plans over time and revise plans accordingly.

- P.44.6 Limit neighborhood plan amendments and revisions to a minimum two year increments to allow time to implement the plan.

PART 1: Neighborhood Plans in General.

The Flathead County Growth Policy contains existing characteristics, projected trends, goals and policies for county-wide issues. Neighborhood plans provide more detailed information regarding the land uses, policies and issues relevant to that specific neighborhood or geographic area. It guides the community from present to future land use through patterns and development consistent with the vision of the community, goals, policies, and maps.

The size of an area contained in a neighborhood plan is dependent on the community character, physical and environmental features, and institutional and regulatory boundaries. The plan area should be large enough to predict and guide future land use patterns, yet small enough to be manageable. Areas within the county that have existing neighborhood plans may want to retain their present plan areas. The boundaries of a neighborhood plan may change over time as revisions occur or due to annexations and other actions by the cities and other governmental agencies.

Neighborhood plans contain a variety of elements that all work towards identifying, preserving and protecting the local characteristics that make a community unique from the rest of Flathead County. Neighborhood planning involves citizens, landowners, local stakeholders, community organizations and businesses who work together addressing future land uses and service delivery. Elements to be included in a Neighborhood Plan:

- Authorization and background
- Plan area boundaries
- Community vision
- Existing conditions
 - Demographics
 - Economy
 - Housing Needs
 - Current development/land use
 - Natural environment
 - Transportation
 - Land ownership (Public/Private)
 - Local and public facilities
- Issues and opportunities
- Goals and policies
- Land use categories
- Existing and planned land use map(s)
- Coordination statement
- Implementation strategy

- Monitoring plan (or goals and policies)
- Support information

PART 2: The Neighborhood Planning Process

The planning process for the creation of a neighborhood plan consists of six general steps. They include: 1) Initial neighborhood plan organizational meeting; 2) Base-lining existing conditions; 3) Drafting the community vision and goals; 4) Preparing the draft plan; 5) Plan approval and adoption; and 6) Ongoing monitoring the implementation of the plan.

Each of these steps must be conducted with full opportunities for public input and engagement. The neighborhood planning process is summarized in the Overview of Neighborhood Planning Process (Figure 10.1). County planning staff is expected to work with communities and provide guidance and assistance with the preparation of neighborhood plans.

The organizational meeting is the preliminary step (**Step 1**) needed to determine community interest in the neighborhood planning process and define the geographic area to be included in the plan. The community may desire to form an ad-hoc committee or groups to prepare the plan or work together as a full community. Community ownership and buy-in of the organizational framework at the front end of the process is especially critical. Anything less will prolong and/or discredit the planning process. To be successful, the entire planning process should be inclusive and active by allowing all residents and general public the opportunity to participate. Products coming out of the first step should be the planning area definition and the organizational approach which will be used to generate the plan.

Step 2 of the process involves research and mapping to establish the land use baseline, or starting point. The baseline sets the tone of the plan and lays out areas of constraint or special opportunity. Existing land uses and development density patterns (e.g. residential, commercial, and industrial areas, farm lands, forest lands, etc.) need to be identified and mapped as well as public facilities and infrastructure (e.g. streets, utilities, schools, parks, etc.). Any physical, topographical, or environmental constraints (e.g. floodplains and high groundwater, steep slopes, geo-hazard areas, wetlands, etc.) should be identified as part of the baseline. This may also include any limiting resources (e.g. groundwater availability, access and/or utility constraints, etc.), which may affect planned land use configuration(s). State, federal, and tribal lands that fall outside of the jurisdictional planning authority boundary should be identified and mapped. Finally, the baseline should include the applicable provisions of the growth policy, any prior existing neighborhood plans and regulations that must be considered in the development of the plan. Once the baseline conditions are established the planning process begins to unfold.

The community vision and goals are formalized in **Step 3**. The baseline should provide useful information to identify issues and opportunities within the planning area that should be prioritized early on in the process. By prioritizing the issues and opportunities

it is easier to focus on those which are most important and salient to the planning process. This will also be helpful with crafting a community vision. The vision is the picture of the ideal conditions for the planning area. As a unifying statement, it defines the uniqueness of the community character and relates what the plan is striving to reach and guides important decisions in the preparation of the plan. The vision should be understood and shared by all the residents of the community. Goals should be based on community level outcomes (e.g. types of land uses, densities, transportation, preservation, affordable housing, etc.), process and implementation, and should provide the nexus to the policies developed as part of the plan. Products from this step should include a prioritized list of issues and opportunities, and well defined vision and goals for the plan.

Step 4 is the preparation of the draft plan. The plan explains the vision through a series of goals and policies used to guide public and private land use decision making, define development guidelines and standards, encourage public investment and promote the desires of the residents and public. It combines the existing baseline conditions, community vision, goals, and policies with maps to provide the expectation(s) for the future. The single most important map is Neighborhood Plan Map, which spatially lays out planned land uses. The specificity included in a neighborhood plan should reflect the goals and policies of the plan.

The plan should contain an implementation section that includes periodic monitoring to evaluate the performance and need for revisions. An important part of this public process involves input and comments from public agencies and service providers. The draft plan should go through a rigorous public review process prior to being submitted to the Flathead County Planning Board for formal consideration.

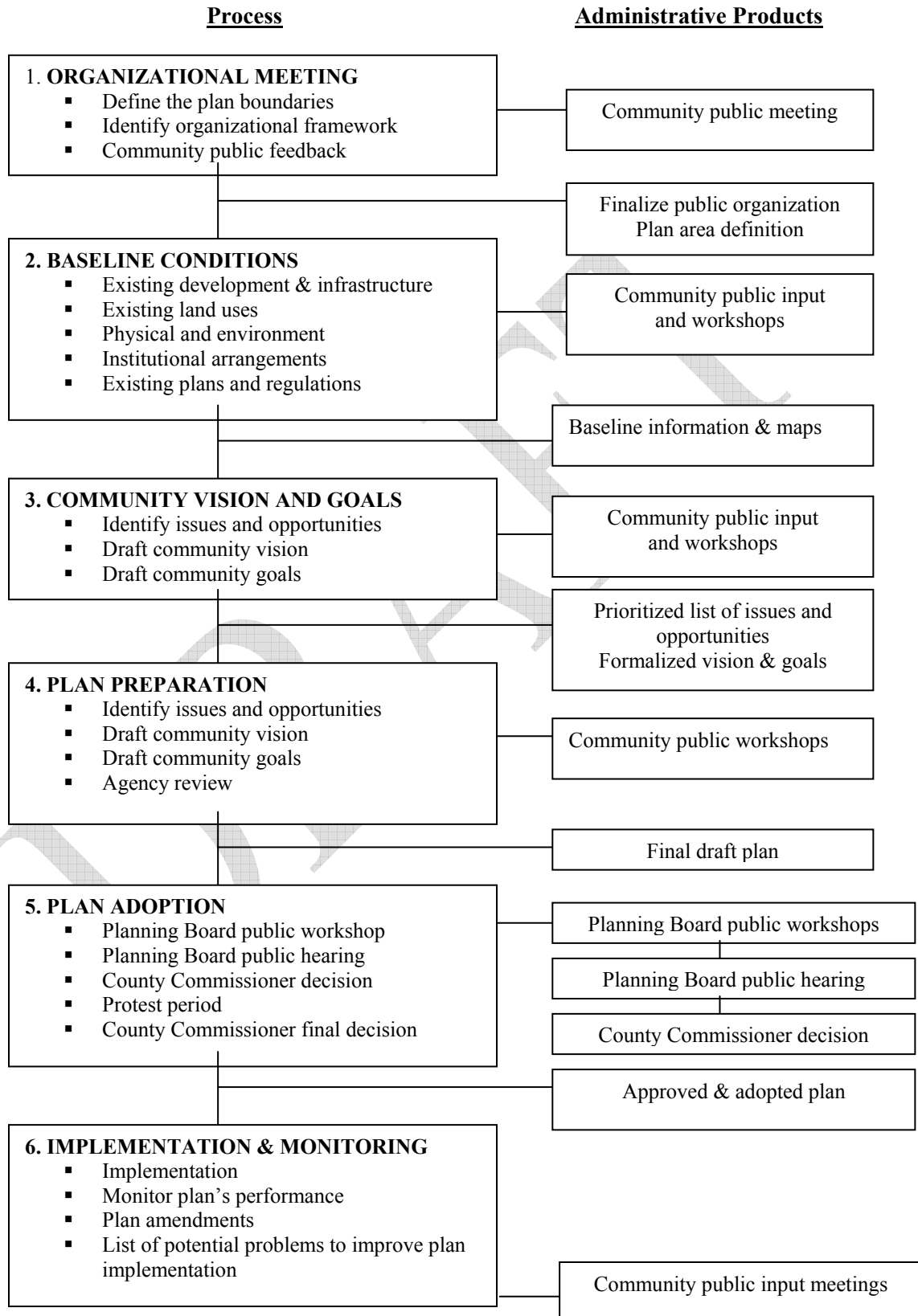
The approval and adoption process is **Step 5**. The Planning Board will hold a public workshop or multiple workshops to become familiar with the draft plan, followed by a public hearing at a later date. After the Planning Board public hearing, the plan, with recommendation from the Planning Board, will be forwarded to the Board of County Commissioners for final consideration. There is a 30-day public protest period following their action before a final decision is reached.

The final step, **Step 6**, is to implement the plan and monitor the effectiveness. If needed, periodic adjustments can be made to plan components. A minimum two year period is suggested between revisions to give the plan a chance to work. This will also avoid parcel driven amendments without full consideration of the integrity of the neighborhood plan.

Any revision to the plan should retrace the steps outlined above.

Neighborhood oversight should be considered for implementation of the neighborhood plan. An advisory committee, approved by the county commission, of residents living in the plan area should be established for each approved neighborhood plan.

Figure 10.1
Overview of Neighborhood Planning Process



PART 3: Land Use Categories

Land use categories define areas within a neighborhood plan for general types and intensities of use and development. Each category has a range of densities or intensities of uses and should provide flexibility for development while maintaining a maximum density or intensity of use for subdivision and/or development purposes. These land use categories are intended to work in consideration of the goals and policies of the neighborhood plan.

Individual neighborhood plans might not incorporate every land use category contained in this chapter. However, it is intended that each forthcoming neighborhood plan use those land use categories from the set identified in this chapter that are appropriate to their area. That's not to say each neighborhood plan will be similar. It is expected that each planning area will have a unique vision defining the community character coupled with unique sets of goals and policies specific to the planning area. These goals and policies will be used in conjunction with the planning land use categories and Neighborhood Plan Map to guide implementation and land use decisions.

Land use categories are not zoning, but rather indicative of where certain uses are appropriate in order to protect public health, safety, morals, convenience, order, or general welfare in the process of community development (76-1-106 M.C.A.). The neighborhood plan is not a zoning instrument and does not guarantee that a specific parcel, land tract, or lot will be approved for a particular zoning classification or district. Subdivision, zoning and other plan implementation tools should be considered as part of the implementation strategy.

Residential clustering and Planned Unit Development (PUD) are noted in several of the land use categories. The purpose of clustering and PUD is to maximize flexibility and innovation by utilizing "area-sensitive" site planning and design to achieve a desirable mixture of compatible land use patterns. This might include efficient pedestrian and vehicular traffic systems and streetscapes, enhanced residential amenities, and allowances for the provision of open space. Correctly applied, clustering and PUD's minimize adverse impact on surrounding property. The incentive for a cluster or PUD is increased density based on total parcel or site area. The Flathead County Planning Board or County Commission is not obligated to automatically approve the level of development intensity or density requested for a cluster or PUD, but must consider the impacts to the community, infrastructure, and environment and promote proper development and the use of effective land use transitioning.

Appropriate land use categories from the following set should be used by the community in preparation of neighborhood plans.

Public Lands

The Public Lands category designates lands under federal land management agency administration and management control. Examples include lands administered by the

U.S. Forest Service, U.S. National Park Service, U.S. Corps of Engineers, or other federal agencies.

Tribal Lands

The Tribal Lands category includes areas controlled and managed by Native American Indian tribes. These lands may be part of a Reservation or Tribal Trust lands.

Open Land

The Open Land category designates area to provide permanent open space in the neighborhood plan area; to prevent irreversible environmental damage to sensitive areas; and to deter development in areas with highly limited public services and facilities; or severe natural constraints. Land may be either private or public; if privately owned, the existing land uses are allowed and recreational uses may occur. Examples of appropriate conditions for Open Land include, but are not limited to, floodways and floodplains, steep slopes greater than 30 percent, geologic hazard areas, jurisdictional wetlands, or sensitive wildlife areas. All other uses are discouraged.

Forest Lands

The Forest Lands category designates privately owned lands that are suited and primarily used for commercial forest producing products, with the exception of commercial Christmas tree production. These areas are typically large tract lands. Uses within this category include, but not limited to, timber harvesting and silvicultural practices, watershed protection, mineral extraction, wildlife habitat, and recreation. Large lot recreational home sites are also appropriate in this category. Other, more intensive land uses are discouraged in the Forest Lands category.

Agricultural Lands

The Agricultural Lands category designates areas used for agricultural purposes. This category promotes the continued use, agricultural practices, including but not limited to, the growing and harvesting of crops, hay, and grains. This category is to protect agricultural land from encroachment of residential and other more intense development. Animal feedlots and operations are compatible within this category as is mineral extraction and processing, as is commercial Christmas tree and other horticultural plantations and nurseries. Local supporting public facilities such as schools, fire stations, and parks are appropriate in the agricultural category.

Residential Rural (*up to 1du/10 acres*)

The Residential Rural land use category allows a maximum of one (1) residential dwelling unit per 10 gross acres. This land use category is intended to promote low residential densities in areas of rural community character, severely limited public facilities/services, and protects agricultural and forest lands from encroachment of higher

density residential and other more intense commercial development. The predominant residential lifestyle is detached Single Family homes, which are in rural surroundings and are either full-time or recreational in nature. Multiple-family dwellings and commercial and industrial uses are non appropriate in this category. Residential Rural is also used in areas to minimize environmental impacts. Most agricultural uses are compatible within this category as well as local supporting public facility uses such as parks, fire stations, and schools. Typically, residential development within this category utilizes individual domestic wells and septic wastewater disposal systems.

Single Family residential clustering and PUD density bonuses are appropriate for this category if located outside of the sensitive environmental areas and incorporate community water and sewer systems.

Residential Suburban (*from 1du/5-ac to 1du/10ac*)

The Residential Suburban land use category allows a range of one (1) residential dwelling unit per five (5) gross acres to 1 residential dwelling unit per ten (10) gross acres. This category is intended to promote detached Single Family residential development at low densities and promote areas within unincorporated Flathead County that are already developed with similar densities. Multiple-family dwellings, commercial and industrial land uses are not appropriate. Public infrastructure and service availability affect the intensity and density within this land use category. Limited Agricultural uses are also compatible within this category as well as local supporting public facility uses such as parks, fire stations, and schools. Typically, residential development within this category utilizes individual domestic wells and septic wastewater disposal systems.

Single Family residential clustering and PUD density bonuses are appropriate for this category if used in conjunction with community water and sewer systems.

Residential Low (*from 1du/ac to 1du/5ac*)

The Residential Low land use category permits a range of single-family residential development from one (1) dwelling unit per one (1) gross acre to one (1) dwelling unit per five (5) gross acres. This category is intended to be located in proximity to public services. Multiple-family dwellings and commercial and industrial uses are not appropriate within this category. Public infrastructure and service availability affect the density and intensity of development. Typically, residential development within this category utilizes individual domestic wells and septic wastewater disposal systems. Local supporting public facilities such as schools, fire stations, and parks are appropriate.

Single-family residential clustering and PUD density bonuses are also appropriate in this category if used in conjunction with community water and sewer systems.

Residential Medium (*from 1du/ac to 6du/ac*)

The Residential Medium land use category permits a range of Single Family and Multiple-Family residential development, including duplexes, townhouses, and condominiums, from one (1) dwelling unit per one (1) gross acre to six (6) dwelling units per one (1) gross acre. Residential development is intended to be in conjunction with public or community water systems and depending on density, public or community sewer systems. This category is most appropriate for areas within or adjacent to available public services. Local supporting public facilities such as schools and parks are appropriate.

Single Family and Multiple-Family residential clustering and PUD density bonuses are also appropriate in this category if used in conjunction with community water and sewer systems depending on density.

Residential High (*from 6du/ac to 18du/ac*)

The Residential High land use category permits a range from six (6) dwelling units per one (1) gross acre to eighteen (18) dwelling units per one (1) gross acre. Residential uses within this category include Single-family and Multiple-family including duplexes, townhouses, condominiums, trailer courts, and apartments. Some mixed commercial uses, which are subordinate and support the residential uses are appropriate in this category however, industrial uses are not. Local supporting public facilities such as school and parks are appropriate. Development is in conjunction with public or community water and sewer systems and public services are readily available.

Single Family and Multiple-Family residential clustering and PUD density bonuses are appropriate in this category.

Commercial Neighborhood

The Commercial Neighborhood land use category allows low density retail and service commercial uses that serve primarily local patrons and does not include more intensive general commercial characteristics. Examples include neighborhood grocery stores, low impact campground and recreational vehicle parks, professional business offices, restaurants, gas stations, and other similar neighborhood retail and service uses. Developments should be sized to fit the surrounding neighborhood and community character. Mixed commercial-residential use is not appropriate in this category. Local supporting public facility uses such as schools, fire stations, and parks are appropriate. Commercial Neighborhood uses should be developed as nodes and not configured in a “strip” commercial pattern.

Commercial General

The Commercial General land use category permits higher intensity retail and service commercial uses that serve the broader community and tourist economy. These uses

include, but are not limited to, shopping center, banks, restaurants, professional business office centers, and other larger retail and service uses. Public facility uses such as school, fire stations, and parks are allowed in this category.

Mixed commercial-residential uses where the residential portion is subordinate to the commercial is appropriate. Commercial General land uses should be developed as nodes or centers and not configured in “strip” commercial patterns.

Industrial

The Industrial category applies to area of industrial use and provides general locations for new and existing industrial development, normally in proximity to major transportation facilities. The uses should be reviewed for safety and aesthetics when adjoining other uses or visually impacting neighborhoods. Examples include, but are not limited to, manufacturing and material processing centers and mineral extractive processing facilities when not in proximity to residential areas, local, and regional product distribution center, etc. Limited local supporting public facilities such as fire stations are appropriate; locating adjacent to schools and parks is not appropriate due to child safety concerns.

Public Facilities

The Public Facilities category allows public parks and recreational areas such as public and private golf courses and regional parks and trail systems. The category includes governmental building sites and complexes, police and fire facilities, hospitals, schools, and other uses considered public or quasi-public such as libraries, churches, and public utility facilities.

Special or Customized Land Uses

In several cases of existing neighborhood plans the planned area consists of a single land use category, typically based on a particular residential density. Where appropriate, these areas should be especially homogeneous, with consistent community desires regarding maintaining a specific residential land use density or other use. Multiple land uses should be discouraged when a specialized land use category is used.

PART 4: Land Use Maps and Figures

Land Use Maps present a visual representation of existing conditions, areas of special environmental or other consideration, and future land uses. The intent of the future land use map is to illustrate the anticipated development patterns in the neighborhood planning area. The future land use, or neighborhood plan map, should reflect the planning area’s community character along with the vision, goals, policies, and opportunity by defining planned areas utilizing the relevant land use categories from this chapter. The application of the appropriate land use categories, goals, and policies presented in the plan, in conjunction with both natural and man-made features, serve as the guiding principles in

determining the appropriate locations of general land uses. Although each planning area may have a unique set of maps, Table 2 identifies a typical list of maps contained in a neighborhood plan.

The plan may use figures and charts to show certain characteristics of the planning area. These might include, but are certainly not limited to, population trends and projections, school enrollments, housing mixes, existing and/or planned land use acres, and general land ownerships, etc. It is often easier to explain conditions as figures or charts than in text. Neighborhood plans should include (but are not limited to) the following maps:

- Existing Land Uses
- Flood hazards (100-Year Floodplain)
- Public Facilities
- Transportation Element
- Physical Constraints
- Flood Hazards (100-Year Floodplain)
- Environmental Constraints
- Planned Land Uses (Neighborhood Plan Map)

PART 5: Plan Amendments

Citizen requests to amend an approved and adopted neighborhood plan must be processed in accordance with state law and should follow the planning process and procedures for developing a neighborhood plan identified in this Chapter. Flathead County may administratively update the neighborhood plan map to reflect annexations or after receiving information due to actions made by the incorporated cities or other governing bodies. However, county initiated amendments should follow the process outlined in this chapter.

PART 6: Existing Neighborhood Plans

There are presently 17 approved neighborhood plans within unincorporated Flathead County. The intent of these neighborhood plans was to capture the intent and vision of the neighborhoods and community and provide guidance for the future. However, many of these plans are dated and may need revision to reflect current condition and future vision for the neighborhood area. Geographic areas where neighborhood plans exist are identified below and shown on Map 10.1.

- Ashley Lake
- Bigfork
- Canyon
- Columbia Fall City-County Master Plan
- Helena Flats
- Kalispell City-County Master Plan
- Labrant-Linsey Lane

- Lakeside
- Little Bitterroot Lake
- North Fork
- Quarter Circle/LA Ranch
- Rogers Lake
- South Woodland/Green Acres
- Stillwater Neighborhood Plan
- Two Rivers
- West Valley
- Whitefish Area Trust Lands
- Whitefish City-County Master Plan

These neighborhood plans have unique characteristics, community visions, goals and policies. Some of these plans are implemented through a single residential zoning district. Others use a more traditional approach with multiple land use categories. These existing neighborhood plans will be evaluated to ensure consistency and compliance with this growth policy. It is anticipated that new neighborhood plans will be developed for areas without neighborhood plans and also to revise existing plans.

PART 7: Neighborhood Plan Implementation and Monitoring

Following the creation and approval of a neighborhood plan, a land use advisory committee should be established. The committee should consist of residents living within the plan area who represent a cross section of the community. The function of the committee is to provide insight and recommendations on land use applications and other planning issues affecting their particular community with input from the public.

The land use committee should also facilitate the implementation as identified in the neighborhood plan. Normally the implementation is through regulations such as official maps, subdivision, zoning, flood plain and/or lakeshore regulations. The committee should assist staff, the Planning Board and Commission in reviewing and commenting on these regulations. Setting up the implementation section of the plan is critical to the success of the on-going planning process.

The neighborhood plan should be reviewed and evaluated periodically to determine whether it still represents the vision and goals of the community. In high growth areas the plan should be evaluated no less than in five year increments. If needed, the plan might undergo a more frequent review. However the plan should be given at least two years time between revisions to be allowed to work.